

105TH CONGRESS
2D SESSION

H. R. 4068

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 1998

Received

AN ACT

To make certain technical corrections in laws relating to
Native Americans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AUTHORIZATION FOR 99-YEAR LEASES.**

2 The second sentence of subsection (a) of the first sec-
 3 tion of the Act entitled “An Act to authorize the leasing
 4 of restricted Indian lands for public, religious, educational,
 5 recreational, residential, business, and other purposes re-
 6 quiring the grant of long-term leases”, approved August
 7 9, 1955 (25 U.S.C. 415(a)), is amended—

8 (1) by inserting “lands held in trust for the
 9 Confederated Tribes of the Grand Ronde Commu-
 10 nity of Oregon,” after “lands held in trust for the
 11 Cahuilla Band of Indians of California,”; and

12 (2) by inserting “the Cabazon Indian Reserva-
 13 tion,” after “the Navajo Reservation,”.

14 **SEC. 2. GRAND RONDE RESERVATION ACT.**

15 Section 1(c) of the Act entitled “An Act to establish
 16 a reservation for the Confederated Tribes of the Grand
 17 Ronde Community of Oregon, and for other purposes”,
 18 approved September 9, 1988 (25 U.S.C. 713f note; 102
 19 Stat. 1594), is amended—

20 (1) by striking “10,120.68 acres of land” and
 21 inserting “10,311.60 acres of land”; and

22 (2) by striking all in the table after:

“4	7	30	Lots 3, 4, SW ¹ / ₄ NW ¹ / ₄ , SE ¹ / ₄ NE ¹ / ₄ ,	240;”
			E ¹ / ₂ SW ¹ / ₄	

23 and inserting the following:

“6	8	1	N ¹ / ₂ SW ¹ / ₄	29.59
6	8	12	W ¹ / ₂ SW ¹ / ₄ NE ¹ / ₄ , SE ¹ / ₄ SW ¹ / ₄ NE ¹ / ₄ NW ¹ / ₄ , N ¹ / ₂ SE ¹ / ₄ NW ¹ / ₄ , N ¹ / ₂ SW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	21.70
6	8	13	W ¹ / ₂ E ¹ / ₂ NW ¹ / ₄ NW ¹ / ₄	5.31
6	7	7	E ¹ / ₂ E ¹ / ₂	57.60
6	7	8	SW ¹ / ₄ SW ¹ / ₄ NW ¹ / ₄ , W ¹ / ₂ SW ¹ / ₄	22.46
6	7	17	NW ¹ / ₄ NW ¹ / ₄ , N ¹ / ₂ SW ¹ / ₄ NW ¹ / ₄	10.84
6	7	18	E ¹ / ₂ NE ¹ / ₄	43.42
Total				10,311.60”.

1 SEC. 3. NAVAJO-HOPI LAND DISPUTE SETTLEMENT ACT.

2 Section 12 of the Navajo-Hopi Land Dispute Settle-
3 ment Act of 1996 (110 Stat. 3653) is amended—

4 (1) in subsection (a)(1)(C), by inserting “of
5 surface water” after “on such lands”; and

6 (2) in subsection (b), by striking “subsection
7 (a)(3)” each place it appears and inserting “sub-
8 section (a)(1)(C)”.

**9 SEC. 4. TREATMENT OF CERTAIN DEMONSTRATION
10 PROJECTS.**

11 (a) IN GENERAL.—The Secretary of the Interior shall
12 take such action as may be necessary to extend the terms
13 of the projects referred to in section 512 of the Indian
14 Health Care Improvement Act (25 U.S.C. 1660b) so that
15 the term of each such project expires on October 1, 2002.

1 (b) AMENDMENT TO INDIAN HEALTH CARE IM-
 2 PROVEMENT ACT.—Section 512 of the Indian Health Care
 3 Improvement Act (25 U.S.C. 1660b) is amended by add-
 4 ing at the end the following:

5 “(c) In addition to the amounts made available under
 6 section 514 to carry out this section through fiscal year
 7 2000, there are authorized to be appropriated such sums
 8 as may be necessary to carry out this section for each of
 9 fiscal years 2001 and 2002.”.

10 **SEC. 5. CONFEDERATED TRIBES OF COOS, LOWER UMPQUA,**
 11 **AND SIUSLAW INDIANS RESERVATION ACT.**

12 Section 7(b) of the Coos, Lower Umpqua, and
 13 Siuslaw Restoration Act (25 U.S.C. 714e(b)) is amended
 14 by adding at the end the following:

15 “(4) In Lane County, Oregon, a parcel de-
 16 scribed as beginning at the common corner to sec-
 17 tions 23, 24, 25, and 26 township 18 south, range
 18 12 west, Willamette Meridian; then west 25 links;
 19 then north 2 chains and 50 links; then east 25 links
 20 to a point on the section line between sections 23
 21 and 24; then south 2 chains and 50 links to the
 22 place of origin, and containing .062 of an acre, more
 23 or less, situated and lying in section 23, township 18
 24 south, range 12 west, of Willamette Meridian.”.

1 **SEC. 6. HOOPA VALLEY RESERVATION BOUNDARY ADJUST-**
2 **MENT.**

3 Section 2(b) of the Hoopa Valley Reservation South
4 Boundary Adjustment Act (25 U.S.C. 1300i–1 note) is
5 amended—

6 (1) by striking “north 72 degrees 30 minutes
7 east” and inserting “north 73 degrees 50 minutes
8 east”; and

9 (2) by striking “south 15 degrees 59 minutes
10 east” and inserting “south 14 degrees 36 minutes
11 east”.

12 **SEC. 7. CLARIFICATION OF SERVICE AREA FOR CONFED-**
13 **ERATED TRIBES OF SILETZ INDIANS OF OR-**
14 **EGON.**

15 Section 2 of the Act entitled “An Act to establish a
16 reservation for the Confederated Tribes of Siletz Indians
17 of Oregon”, approved September 4, 1980 (25 U.S.C. 711e
18 note; 94 Stat. 1073), is amended by adding at the end
19 the following:

20 “(c) Subject to the express limitations under sections
21 4 and 5, for purposes of determining eligibility for Federal
22 assistance programs, the service area of the Confederated
23 Tribes of the Siletz Indians of Oregon shall include Ben-
24 ton, Clackamas, Lane, Lincoln, Linn, Marion, Multnomah,
25 Polk, Tillamook, Washington, and Yamhill Counties in Or-
26 egon.”.

1 **SEC. 8. LOWER SIOUX INDIAN COMMUNITY.**

2 Notwithstanding any other provision of law, the
3 Lower Sioux Indian Community in Minnesota is hereby
4 authorized to sell, convey, and warrant to a buyer, without
5 further approval of the United States, all the Community's
6 interest in the following real property located in Redwood
7 County, Minnesota:

8 A tract of land located in the Northeast Quarter
9 (NE $\frac{1}{4}$) of Section Five (5), Township One Hundred
10 Twelve (112) North, Range Thirty-five (35) West,
11 County of Redwood and State of Minnesota, de-
12 scribed as follows: Commencing at the north quarter
13 corner of Section 5 in Township 112 North, Range
14 35 West of the 5th Principal Meridian; thence east
15 a distance of 678 feet; thence south a distance of
16 650 feet; thence South 45 degrees West a distance
17 of 367.7 feet; thence west a distance of 418 feet to
18 a point situated on the north and south quarter line
19 of said Section 5; thence north a distance of 910
20 feet to the place of beginning, subject to highway
21 easements of record, and containing 13.38 acres,
22 more or less.

23 Nothing in this section is intended to authorize the Lower
24 Sioux Indian Community in Minnesota to sell any of its
25 lands that are held in trust by the United States.

1 **SEC. 9. FEDERAL TRUST EMPLACEMENT OF TRIBAL LANDS.**

2 The Cow Creek Band of Umpqua Tribe of Indians
3 Recognition Act (25 U.S.C. 712 et seq.) is amended by
4 adding at the end the following new section:

5 **“SEC. 7. CERTAIN PROPERTY TAKEN INTO TRUST.**

6 “The Secretary of the Interior shall accept title to
7 2000 acres of real property and may accept title to any
8 additional number of acres of real property located in
9 Umpqua River watershed upstream from Scottsburg, Or-
10 egon, or the northern slope of the Rogue River watershed
11 upstream from Agness, Oregon, if such real property is
12 conveyed or otherwise transferred to the United States by
13 or on behalf of the Tribe. The Secretary shall take into
14 trust for the benefit of the Tribe all real property conveyed
15 or otherwise transferred to the United States pursuant to
16 this section. Real property taken into trust pursuant to
17 this section shall become part of the Tribe’s reservation.
18 Real property taken into trust pursuant to this section
19 shall not be considered to have been taken into trust for
20 gaming (as that term is used in the Indian Gaming Regu-
21 latory Act (25 U.S.C. 2701 et seq.).”.

22 **SEC. 10. AMENDMENTS TO THE JICARILLA APACHE TRIBE**
23 **WATER RIGHTS SETTLEMENT ACT.**

24 (a) Section 8(e)(3) of the Jicarilla Apache Tribe
25 Water Rights Settlement Act, as amended by Public Law

1 104–261, is further amended by striking “December 31,
2 1998” and inserting in lieu thereof “December 31, 2000”.

3 (b) The Jicarilla Apache Tribe Water Rights Settle-
4 ment Act (Public Law 102–441) is amended by adding
5 at the end the following new section:

6 **“SEC. 12. APPROVAL OF STIPULATION.**

7 “Notwithstanding any other provision of Federal law,
8 including section 2116 of the Revised Statutes (25 U.S.C.
9 177), the Stipulation and Settlement Agreement, dated
10 October 7, 1997, between the Jicarilla Apache Tribe and
11 other parties to State of New Mexico v. Aragon, No. CIV–
12 7941 JC, U.S. Dist. Ct., D.N.M., approved by the United
13 States District Court in that proceeding, is hereby ap-
14 proved.”.

15 **SEC. 11. SAN LUIS REY INDIAN WATER RIGHTS SETTLE-**
16 **MENT ACT.**

17 Section 105(c) of the San Luis Rey Indian Water
18 Rights Settlement Act (Public Law 100–675; 102 Stat.
19 4000), as amended by section 117 of the Department of
20 the Interior and Related Agencies Appropriations Act,
21 1992 (Public Law 102–154; 105 Stat. 1012–1013), is
22 amended—

23 (1) by inserting “(1)” before “Until”; and

24 (2) by adding at the end the following new
25 paragraph:

1 “(2) Notwithstanding paragraph (1), prior to comple-
 2 tion of the final settlement and as soon as feasible, the
 3 Secretary is authorized and directed to disburse a total
 4 of \$8,000,000, of which \$1,600,000 will go to each of the
 5 Bands, from the interest income which has accrued to the
 6 Fund. The disbursed funds shall be invested or used for
 7 economic development of the Bands, the Bands’ reserva-
 8 tion land, and their members and may not be used for
 9 per capita payments to members of any Band. The United
 10 States shall not be liable for any claim or causes of action
 11 arising from the Bands’ use or expenditure of moneys dis-
 12 tributed from the Fund.”.

13 **SEC. 12. NATIVE HAWAIIAN HEALTH SCHOLARSHIP PRO-**
 14 **GRAM.**

15 (a) **ELIGIBILITY.**—Section 10(a)(1) of the Native
 16 Hawaiian Health Care Improvement Act (42 U.S.C.
 17 11709(a)(1)) is amended by striking “meet the require-
 18 ments of section 338A of the Public Health Service Act
 19 (42 U.S.C. 2541)” and inserting “meet the requirements
 20 of paragraphs (1), (3), and (4) of section 338A(b) of the
 21 Public Health Service Act (42 U.S.C. 2541(b))”.

22 (b) **TERMS AND CONDITIONS.**—Section 10(b)(1) of
 23 the Native Hawaiian Health Care Improvement Act (42
 24 U.S.C. 11709(b)(1)) is amended—

1 (1) in subparagraph (A), by inserting “identi-
2 fied in the Native Hawaiian comprehensive health
3 care master plan implemented under section 4” after
4 “health care professional”;

5 (2) by redesignating subparagraphs (B)
6 through (D) as subparagraphs (C) through (E), re-
7 spectively;

8 (3) by inserting after subparagraph (A) the fol-
9 lowing:

10 “(B) the primary health services covered under
11 the scholarship assistance program under this sec-
12 tion shall be the services included under the defini-
13 tion of that term under section 12(8);”;

14 (4) by striking subparagraph (D), as redesign-
15 nated, and inserting the following:

16 “(D) the obligated service requirement for each
17 scholarship recipient shall be fulfilled through the
18 full-time clinical or nonclinical practice of the health
19 profession of the scholarship recipient, in an order of
20 priority that would provide for practice—

21 “(i) first, in any 1 of the 5 Native Hawai-
22 ian health care systems; and

23 “(ii) second, in—

1 “(I) a health professional shortage
2 area or medically underserved area located
3 in the State of Hawaii; or

4 “(II) a geographic area or facility that
5 is—

6 “(aa) located in the State of Ha-
7 waii; and

8 “(bb) has a designation that is
9 similar to a designation described in
10 subclause (I) made by the Secretary,
11 acting through the Public Health
12 Service;”;

13 (5) in subparagraph (E), as redesignated, by
14 striking the period and inserting a comma; and

15 (6) by adding at the end the following:

16 “(F) the obligated service of a scholarship re-
17 cipient shall not be performed by the recipient
18 through membership in the National Health Service
19 Corps; and

20 “(G) the requirements of sections 331 through
21 338 of the Public Health Service Act (42 U.S.C.
22 254d through 254k), section 338C of that Act (42
23 U.S.C. 254m), other than subsection (b)(5) of that
24 section, and section 338D of that Act (42 U.S.C.
25 254n) applicable to scholarship assistance provided

1 under section 338A of that Act (42 U.S.C. 254l)
 2 shall not apply to the scholarship assistance provided
 3 under subsection (a) of this section.”.

4 **SEC. 13. MISCELLANEOUS TECHNICAL CORRECTIONS.**

5 (a) AUTHORIZATION.—Section 711(h) of the Indian
 6 Health Care Improvement Act (25 U.S.C. 1665j(h)) is
 7 amended by striking “of the fiscal years” and inserting
 8 “of fiscal years”.

9 (b) REFERENCE.—Section 4(12)(B) of the Native
 10 American Housing Assistance and Self-Determination Act
 11 of 1996 (25 U.S.C. 4103(12)(B)) is amended by striking
 12 “Indian Self-Determination and Education Assistance Act
 13 of 1975” and inserting “Indian Self-Determination and
 14 Education Assistance Act (25 U.S.C. 450 et seq.)”.

15 **SEC. 14. REPEAL.**

16 Section 326(d)(1) of Public Law 105–83 is repealed
 17 and section 1004(a) of Public Law 104–324 is amended
 18 by inserting “sale or” before “use”.

Passed the House of Representatives September 23,
 1998.

Attest:

ROBIN H. CARLE,
Clerk.